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Eric Brelle

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAN L. WHITNEY, JANET R. HADLEY,
MARGARET A. KORNOW-BROWN, ERIC
BRELLE,

Plaintiffs,

v.

CHARLES WURTZ, VERISCAPE, INC.,
RENEE TADLOCK, REGINA RYGELIS,
WILL ARNTZ, SAM JACOBS, GARY
BERKOWITZ, BRIAN ROE, and
DOES 1 TO 20, inclusive,

Defendants.

) No. C0405232

)
) **DECLARATION AND STIPULATION**
) **TO CONTINUE CASE MANAGEMENT**
) **CONFERENCE;**

) **AND PROPOSED ORDER**

) Date: June 21, 2005
) Time: 2:00 p.m.
) Dept: 5

DECLARATION

I, David R. Beck, declare:

1. I am the attorney for plaintiffs herein. I state the
following based on personal knowledge and if called as a witness
could and would testify competently thereto.

2. There are eight defendants. Attorney Brian Baker has signed Waiver of Service of Summons for four defendants.

3. The other four defendants are spread all over the country (i.e. - Colorado, Washington and New York). One defendant has as many as three addresses in Colorado.

4. We have been unable to serve any of the remaining four defendants yet.

5. One defendant in particular, the Colorado defendant, is crucial to the case.

6. I swear under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: June 15, 2005

_____/s/
David R. Beck,
Attorney for Plaintiffs

STIPULATION

The parties stipulate, by and through their counsel, to continue the Case Management Conference currently scheduled for June 21, 2005, 2:00 p.m., Department 5.

The parties request the continuance be 60 to 75 days so that if any additional defendants are served, they will have time to respond.

1 Dated: June 15, 2005

_____/s/
David R. Beck,
Attorney for Plaintiffs

4 Dated June _____, 2005

Brian Baker,
Attorney for Defendants Wurtz,
Veriscape, Rygelis and Roe

7
8 ORDER

9
10 IT IS HEREBY ORDERED that the Case Management Conference
11 currently set for June 21, 2005, 2:00 p.m., Department 5, be
12 continued to August 23, 2005, 2:00 p.m.,
13 Department 5. No Further Continuances will be granted.

14 Dated: June 16, 2005

_____/s/ Patricia V. Trumbull
~~District Court Judge~~
PATRICIA V. TRUMBULL
UNITED STATES MAGISTRATE JUDGE